

**03/05/07 - Monday, March 5, 2007**

**CITY OF EAU CLAIRE**

**PLAN COMMISSION MINUTES**

**Meeting of March 5, 2007**

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Levandowski, Waedt, Davis, Larson, Kaiser, Vande Loo, FitzGerald, Kayser, and Ms. Kincaid

Staff Present: Messrs. Tufte, Reiter, Genskow

The meeting was chaired by Mr. Levandowski.

1. **REZONING (Z-1379-07) - C-2P to R-3P and C-2P, Westridge Village Neighborhood Market Place**

and

**PRELIMINARY PLAT (P-4-07) - Westridge Village Neighborhood Market Place Condos**

RHS Companies have submitted a rezoning request for the southeast corner of USH"12" and Mill Run Road from C-2P to R-3P and C-2P and to adopt the General Development Plan for the Westridge Village Neighborhood Marketplace with the preliminary condo plat for the project. The proposed rezoning leaves the north half of the site with C-2P zoning for 5 commercial lots, which are intended for office use, personal services, or retail sales and service uses.

The R-3P portion of the project is for the south half of the site and includes 30 units in 4-or 5-plex buildings facing the cul-de-sac street and 28 units in duplex buildings facing the lake to the south. Final site plans will require Plan Commission approval with each phase of the residential and commercial portion of the project. The condo plat will need to be filed prior to the issuance of the building permits to create the lot for each building unit. The cul-de-sac is 950' in length and cannot be extended east due to future phases of the project. Staff listed 10 conditions for approval.

Fred DeVillers, RHS Companies, Madison, Wisconsin, spoke in support. He responded to questions on public walkways which are provided along the public street but not to the south of the duplex units because of the topography and private nature of the homes facing the water pond. He stated that the residential units will be for sale as condo units at prices lower than the bay homes.

No one appeared in opposition.

Mr. Levandowski stated that he cannot support the proposal as presented without public walkways for the south units. Mr. FitzGerald agreed, but that placing a walkway to the south may not be feasible due to topography.

Mr. FitzGerald moved to recommend approval of the rezoning and the plat with the conditions listed in the staff report. Mr. Vande Loo seconded and the motion failed. Messrs. Waedt, Levandowski, Davis, Kayser and FitzGerald voted no.

2. **REZONING (Z-1380-07) - C-3P and R-3P to C-2P and R-3P, Westridge Village Senior Campus**

and

**PRELIMINARY PLAT (P-05-07) - Westridge Village Senior Campus**

and

**SPECIAL ZONING PERMISSION (SZP-1-07) - 44-unit and 24-unit CBRFs**

RHS Companies has submitted a request to rezone property located at the southwest corner of STH"12" and Mill Run Road from C-3P and R-3P to C-2P and R-3P, and to adopt the General Development Plan for Westridge Village Senior Campus with the preliminary plat for the project and with special zoning permission to allow a 44-unit assisted living facility for the elderly and a 24-unit CBRF Memory Care facility. The proposed rezoning reduces the amount of commercial zoning and adds to the amount of multi-family development for this area. The multi-family development includes a senior campus facility. This may impact public transit with use of para-transit services by the senior housing component.

The General Development Plan shows 3 commercial lots and defines the uses as office, personal services, and retail sales and services. An existing billboard on site will become nonconforming with this rezoning. The R-3P portion of the project includes 45 duplex condos, 2 apartments with 30- and 36-units each, and a 44-unit assisted living facility and a 24-unit CBRF Memory Care facility. The condo plat proposes a private drive access through the site with shared driveway for access to "pods" of duplexes. A substantial screening plan will need to be provided within the 50' setback area along the drive. Staff provided a list of 2 conditions for the CBRF approval and 11 conditions on the plat, including those of Public Works.

Fred DeVillers, RHS Companies, appeared in support. He anticipated at least a 5-year build-out for this project.

Janis Dawson, Sun Prairie, Wisconsin, addressed issues with the CBRFs. She anticipated that less than 5% of the occupants of the two facilities would have cars.

No one appeared in opposition.

Ms. Kincaid moved to recommend approval of the rezoning, condo plat and CBRFs with the conditions listed in the staff reports, and added that a sidewalk be provided on the north side of the private drive. Mr. Vande Loo seconded and the motion carried.

3. **ANNEXATION (07-1A) - 1527 W. Vine Street, Town of Union**

This item was tabled from February 5, 2007, to allow the Town of Union to meet and discuss this annexation. The Town chairperson has also met with the Director of Public Works to discuss the need for the right-of-way for utility extension to the subject property. The owner, Jesse Luren, has submitted a petition for annexation of a single-family home located at 1527 W. Vine Street because of a failed septic system. City utilities are located to the north in W. Vine Street and would need to be extended south a short distance to serve the property. Since this property is located 8-10' from the City limits, Mrs. Luren was advised to seek cooperation from the Town of Union to allow the annexation. The land is within the sewer service area of the City and the Public Works Department has determined that sewer and water need to be extended to the south end of the annexed street to properly serve this property.

Judy Bechard, Town of Union, stated that she has met with the Director of Public Works and has proposed a possible reconstruction of the remaining portion of Vine Street by the City, including utilities. This would need to be negotiated with the City Council.

Mr. Vande Loo moved to recommend the annexation. Mr. Davis seconded and the motion carried. Ms. Kincaid abstained.

4. **EXCESS PROPERTY - Parcel in Block 20, North Barstow Area**

The City of Eau Claire owns a parcel in the North Barstow Redevelopment area. This used to be the City public parking lot on the corner of Hobart and Wisconsin Streets. The land will be transferred to the Redevelopment Authority and sold to the developer with the rest of the properties owned by the Redevelopment Authority.

Mr. FitzGerald moved to recommend the property as excess. Mr. Kayser seconded and the motion carried.

5. **SITE PLAN (SP-0706) - Rooming House, 913/915 Water Street**

Matthew McHugh has submitted a site plan for a rooming house at 913 and 915 Water Street. The property is presently a duplex with 4 persons allowed in each unit. The Plan Commission approved the site plan for this duplex with a 7-stall parking lot in 2000. He now wishes to allow 5 persons in each unit as a rooming house on both sides. A site plan showing additional parking spaces was submitted. Mr. Tufte noted the mix of existing parking situations in the surrounding neighborhood.

Matthew McHugh addressed the commission by describing an incident in which it was discovered that more persons than on the lease were occupying the house. He thought the best solution was to allow a rooming house because of the large space in the house and the ability to expand the parking lot to the rear. He presented photos of the adjacent properties. A rooming house license will also require annual inspections of the property and maintenance of a license.

After discussions on density issues and lot surface paving, Mr. FitzGerald moved to postpone consideration until the April 2, 2007, meeting. Mr. Kayser seconded and the motion carried. Mr. Davis voted no.

6. **DISCUSSION**

**A. Catering Business in Church - Draft Ordinance**

Mr. Tufte presented a proposed ordinance for discussion which would allow a catering business within a church facility as a conditional use similar to a home occupation type permit. It was the consensus of the Plan Commission to raise the number of permitted employees to 4 and remove the ability to have a sign. Mr. Kaiser also suggested that a definition of a catering business be added into the ordinance also. Mr. Tufte will include these changes in a proposed ordinance for public hearing.

**MINUTES**

The minutes of the meeting February 19, 2007, were approved.

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Fred Waedt

Secretary